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TO SECSTATE WASHDC 9788
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AMEMBASSY PHNOM PENH
AMEMBASSY VIENTIANE
USDEL FRANCE

C O N F I D E N T I A L SECTION 1 OF 2 SAIGON 14581

~~LIMDIS~~

SUBJ: PRESIDENTIAL ELECTION PROCEDURES

1. SUMMARY AND COMMENT: WHILE AWAITING ANY CLARIFICATIONS PRESIDENT THIEU MAY OFFER IN HIS RADIO AND TV CAMPAIGN TALKS SCHEDULED FOR THE EVENING OF SEPT 11 (SEPTEL), THIS MESSAGE REPORTS HOW THE ELECTION PROCEDURES LOOK AT THIS POINT. LARGE-SCALE ABSTENTION IS UNLIKELY AS MOST OF THE POPULATION WILL RESPOND TO ADMINISTRATION EFFORTS TO GET OUT THE VOTE. TRADITIONAL PATTERNS OF VOTING FOR ESTABLISHED AUTHORITY WILL FAVOR THIEU, AND THE OPERATION OF VOTING PROCEDURES WILL PUT IMPEDIMENTS IN THE WAY OF VOTERS WHO DESIRE TO CAST INVALID BALLOTS. ACTING MINISTER OF THE INTERIOR LE CONG CHAT TELLS US THAT, IN THE ABSENCE OF OBSERVERS FROM OPPOSING SLATES, THERE ARE PLANS FOR MEMBERS OF THE NATIONAL ASSEMBLY, LOCAL ELECTION COUNCILS, INTERNATIONAL OBSERVERS AND MEMBERS OF LEGAL POLITICAL PARTIES TO OBSERVE THE POLLING. THERE ARE ALREADY INDICATIONS OF EFFORTS TO ENCOURAGE A GOOD TURNOUT. THE MEASURES SO FAR SUGGESTED BY CHAT APPEAR INSUFFICIENT TO MAKE THE POLLING A TEST OF CONFIDENCE THAT WILL BE CONVINCING TO EITHER VIETNAMESE OR INTERNATIONAL OPINION. END SUMMARY AND COMMENT.

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2. TRADITIONAL VOTING PATTERNS AND PROCEDURES. IN PREVIOUS ELECTIONS IN SVN LOCAL OFFICIALS HAVE MADE A MAJOR EFFORT TO TURN OUT THE VOTE, BOTH TO DEMONSTRATE THAT THE POPULATION IS UNDER GVN RATHER THAN COMMUNIST CONTROL AND TO SHOW SUPPORT FOR THE REGIME. AS WAS COMMENTED UPON EXTENSIVELY BY AMERICAN CORRESPONDENTS COVERING THE LOWER HOUSE ELECTIONS, THE AVERAGE VOTER GOES TO THE POLLS PARTLY OUT OF DUTY AND INTEREST IN POLITICS; HE ALSO SHOWS UP BECAUSE OF HIS FEAR THAT IF HE DOES NOT GET HIS VOTER'S CARD STAMPED AND CLIPPED HE MAY BE SUBJECT TO FUTURE HARRASSMENT BY THE AUTHORITIES. IN SAIGON AND IN PARTS OF MR I AND MR II WHERE AN QUANG OR THE COMMUNISTS ARE STRONG, A CAMPAIGN BY THE OPPOSITION TO BOYCOTT THE ELECTION COULD BE EFFECTIVE; BUT IN MOST OF COUNTRYSIDE NORMAL LARGE TURNOUT SHOULD BE EXPECTED

3. FOR AN ELECTION OF GREAT PERSONAL IMPORTANCE TO THIEU, MOST OFFICIALS, EVEN WITHOUT INSTRUCTIONS, WILL FEEL IT IN THEIR SELF-INTEREST TO WORK HARD FOR A HIGH TURNOUT AND APPROPRIATELY POSITIVE VOTE. JUDGING FROM THIEU'S ATTITUDE TO DATE, WE MUST EXPECT THAT HE WILL NOT DISABUSE SUBORDINATE OFFICIALS OF THAT IMPRESSION. THERE WAS AN 83.7 PERCENT TURNOUT OF REGISTERED VOTERS IN THE 1967 PRESIDENTIAL ELECTION, AND THAT WILL BE CONSIDERED ONE OF THE MEASURING STANDARDS FOR THIS ELECTION.

4. ALTHOUGH THE PRESIDENT COULD DECIDE DIFFERENTLY, THE PROVIDIONS OF THE ELECTION LAW SUGGEST THERE WILL ONLY BE ONE BALLOT FOR THIEU. A VOTER PRESUMABLY WOULD HAVE TO EXPRESS NO CONFIDENCE IN THE PRESIDENT BY CASTING AN INVALID VOTE. ARTICLE 31 OF THE ELECTION LAW NOTES THE VARIOUS ACTS WHICH RENDER A BALLOT INVALID. THE EASIEST WAYS FOR A VOTER TO INVALIDATE HIS BALLOT WOULD BE: (A) NOT TO PLACE A BALLOT IN THE ENVELOPE; (B) PUT SOME MARK ON THE BALLOT OR ON THE ENVELOPE; (C) TEAR THE BALLOT IN TWO.

5. HOWEVER, WE BELIEVE THAT IN THE ABSENCE OF ELABORATE INSTRUCTIONS AND SAFEGUARDS, RURAL VOTERS IN PARTICULAR WILL BE UNDER STRONG PSYCHOLOGICAL PRESSURES TO VOTE FOR THIEU. IF THE VOTER DEPOSITS AN EMPTY ENVELOPE, HE MUST DO SOMETHING WITH THE BALLOT. THE LAW PROVIDES THAT A CONTAINER BE PLACED WITHIN THE PRIVATE BOOTH FOR DISPOSAL OF UNUSED BALLOTS BUT THERE MIGHT BE A TENDENCY TO OVERLOOK THIS REQUIREMENT IN A

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ONE-SLATE RACE, AND IT IS ILLEGAL TO CARRY A BALLOT OUT OF THE POLLING STATION. TEARING THE BALLOT MIGHT MAKE NOISE AUDIBLE TO POLLING STATION OFFICIALS, AND MARKING THE BALLOT OR ENVELOPE WOULD REQUIRE THAT A PENCIL OR PEN BE AVAILABLE. IT WOULD BE DIFFICULT TO PERSUADE LARGE NUMBERS OF VOTERS TO CARRY OUT SUCH PROCEDURES. IN ISOLATED PLACES MANY OF THESE PROCEDURES ARE LARGELY FORGOTTEN, AND VOTERS CROWD INTO THE PRIVATE BOOTHS IN V OUPS OR SIMPLY VOTE IN PUBLIC. EVEN IF PRIVACY IS PRESERVED, MOST RURAL VOTERS WILL BE WORRIED THAT LOCAL OFFICIALS WILL SOMEHOW KNOW HOW THEY VOTED AND THAT FAILURE TO VOTE FOR THE THIEU-HUONG SLATE WILL SOMEHOW BRING RETRIBUTION.

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C O N F I D E N T I A L SECTION 2 OF 2 SAIGON 14581

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SUBJ: PRESIDENTIAL ELECTION PROCEDURES

6. POLLING STATION PERSONNEL ARE CHOSEN BY MAYORS AND PROVINCE CHIEFS, AND WITH NO SLATE OBSERVERS FROM OTHER SLATES THERE WOULD BE LITTLE CHECK ON THESE OFFICIALS. (HOWEVER SEE POSSIBLE USE OF OTHER OBSERVERS NOTED BELOW). EVEN IF VOTERS CAST INVALID BALLOTS, THERE IS NO AUTOMATIC ASSURANCE POLLING STATION OFFICIALS WOULD COUNT THEM, OR THAT ADMINISTRATION OFFICIALS UP THE LINE WOULD FORWARD TO HIGHER LEVELS REPORTS INDICATING LARGE NUMBERS OF INVALID BALLOTS.

7. A GREATER NUMBER OF VOTERS WOULD BE WILLING TO CAST VOTES AGAINST PRESIDENT THIEU IF THEY WERE PROVIDED AL ALTERNATE BALLOT, PERHAPS SIMPLY A BLANK ONE, WHICH COULD BE PUT IN THE EVELOPE. THIS, HOWEVER, WOULD NOT BE IN ACCORDANCE WITH THE ELECTORAL LAW, AND PRESIDENT THIEU MIGHT BE RELUCTANT TO STRETCH THE LAW ONLY TO LESSEN HIS CHANCES.

8. MINISTRY OF THE INTERIOR PLANS. AGAINST THE FOREGOING BACKGROUND, AN EMBASSY OFFICER DISCUSSED THE VOTING

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PROCEDURES SEPTEMBER 8 AND 9 WITH ACTING INTERIOR MINISTER CHAT AND ON SEPTEMBER 10 WITH NGUYEN DINH XUONG, ELECTION EXPERT IN THE PRESIDENCY. CHAT SAID THE ADMINISTRATION PLANS TO PERMIT THE FOLLOWING TO ACT AS OBERVERS OF THE ELECTION: MEMBERS OF THE LOWER HOUSE AND SENATE; MEMBERS OF THE LOCAL ELECTION COUNCILS (AS DEFINED IN ARTICLE NINE OF THE LAW THESE INCLUDE THE LOCAL JUDGE, ONE LOWER HOUSE MEMBER OF THE CONSTITUENCY AND FOUR MEMBERS OF THE LOCAL MUNICIPAL OR PROVINCIAL COUNCIL); INTERNATIONAL OBSERVERS, ALTHOUGH THIS CATEGORY WAS NOT YET CLEARLY DEFINED; AND MEMBERS OF POLITICAL PARTIES WITH LEGAL STATUS. CHAT CLARIFIED THAT, ALTHOUGH NONE OF THESE IS AUTHORIZED BY THE ELECTION LAW TO BE AN "OBSERVER" (SEE ARTICLE 26/7) THE CHAIRMEN OF POLLING STATION COMMITTEES WILL BE AUTHORIZED TO PERMIT THESE PERSONS TO ENTER POLLING PLACES PROVIDED THAT THIS WILL NOT CAUSE OVERCROWDING OR DISTURBANCE.

9. CHAT STATED FURTHER THESE NEW CATEGORIES OF OBSERVERS (EXCEPTING FOREIGNERS) MAY ALSO BE AUTHORIZED TO LODGE COMPLAINTS WITH REGARD TO VIOLATIONS OF THE ELECTION LAW. (ARTICLE 38 GIVES THIS RIGHT TO CANDIDATES, REPRESENTATIVES OF SLATES, OBSERVERS DESIGNATED BY SLATES, AND VOTERS. HOWEVER, VOTERS UNDER THE LAW WOULD NOT HAVE FREE ACCESS TO POLLING STATIONS FOR PURPOSES OF OBSERVATION).

10. CHAT SAID THE ADMINISTRATION WAS CONFIDENT THAT THE RURAL VOTE WOULD SUPPORT THIEU BUT KNEW THAT IT FACED MORE OF A PROBLEM IN THE CITIES.

11. XUONG STATED THAT ONLY INVALID BALLOTS WOULD BE CONSIDERED NEGATIVE VOTES AND SPECIFICALLY EXCLUDED FAILURE TO VOTE AS A VALID EXPRESSION OF OPPOSITION. HE SAID ALSO THAT TV AND RADIO WOULD NOT BE MADE AVAILABLE TO OPPOSITIONISTS BECAUSE "PEOPLE SOMETIMES BELIEVE THAT WHATEVER THEY HEAR OR SEE ON THESE MEDIA IS AUTHORITATIVE." XUONG FELT THAT THE PRESS WOULD GIVE THE OPPOSITION AMPLE FORUM.

12. EFFORTS TO GET OUT THE VOTE. THERE ARE ALREADY INDICATIONS OF EFFORTS TO ACHIEVE A HIGH VOTER TURNOUT. A GOVERNMENT PRESS RELEASE SEPT 7 REPORTED THE MINISTRY OF THE INTERIOR HAD INSTRUCTED ALL MAYORS AND PROVINCE CHIEFS TO INCREASE THE NUMBER OF POLLING STATIONS IN VIEW OF EXPERIENCE IN LOWER HOUSE ELECTION WHERE MANY STATIONS, ESPECIALLY IN SAIGON,

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WERE OVERCROWDED. VOTERS ARE BEING REMINDED TO KEEP THEIR LOWER HOUSE VOTING CARDS FOR USE IN THE PRESIDENTIAL ELECTION, AND EFFORTS ARE BEING MADE TO ENSURE THAT ALL REGISTERED VOTERS RECEIVE THEIR CARDS. (SOME VOTERS COMPLAINED THEY DID NOT RECEIVE THEIR CARDS FOR THE LOWER HOUSE ELECTION).
BUNKER